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12 Attorneys for Defendant  
13 RAMESH "SUNNY" BALWANI

14 UNITED STATES DISTRICT COURT  
15  
16 NORTHERN DISTRICT OF CALIFORNIA  
17  
18 SAN JOSE DIVISION

19 UNITED STATES OF AMERICA,  
20  
21 Plaintiff,  
22  
23 v.  
24  
25 RAMESH "SUNNY" BALWANI,  
26  
27 Defendant.

Case No. 18-CR-00258-EJD

**DECLARATION OF STEPHEN A.  
CAZARES RE: DEFENDANT RAMESH  
"SUNNY" BALWANI'S MOTION TO  
EXCLUDE TRIAL EXHIBITS 3790  
AND 4871 AND RELATED  
TESTIMONY**

**Date: April 29, 2022  
Time: 8:30 a.m.  
CTRM: 4, 5th Floor**

Judge: Honorable Edward J. Davila

**DECLARATION OF STEPHEN A. CAZARES**

I, Stephen A. Cazares, declare as follows:

1. I am counsel for defendant Ramesh “Sunny” Balwani, an attorney admitted to practice in the State of California, and of counsel at the law firm of Orrick, Herrington & Sutcliffe LLP.

2. Attached as **Exhibit 1** is a copy of an October 27, 2006 email from Bryan Tolbert to Craig Hall, with an attachment titled “THERANOS,” designated as Trial Exhibit 3790.

3. Attached as **Exhibit 2** is a copy of a March 27, 2019 FBI Form 302 Summary of Interview with Bryan Tolbert, designated Trial Exhibit 28354.

4. Attached as **Exhibit 3** is a copy of a September 7, 2006 investor packet, designated as Trial Exhibit 4871.

I declare under penalty of perjury that the foregoing is true and correct.

Executed April 27, 2022 at San Jose, California.

s/ Stephen A. Cazares

STEPHEN A. CAZARES